

Remarks

Claims 1-24 are pending in the above-identified application. The Examiner rejected claims 1-3, 5, 7-10, 12, 14, 15 under 35 U.S.C. § 102(e), and rejected claims 4, 6, 11, 13, 16-24 under 35 U.S.C. § 103(a).

In general terms and pursuant to one embodiment of the present invention, a first number is assigned to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number. A second number is assigned to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number. The second number differs from the first number. The second location differs from the first location.

Another embodiment of the invention encompasses a system. The system includes a controller component that assigns a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number. The system includes a controller component that assigns a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number. The second number differs from the first number. The second location differs from the first location.

A further embodiment of the invention encompasses an article. The article includes a computer-readable signal-bearing medium. The article includes means in the medium for assigning a first number to a mobile station that upon location of the mobile station at a first

location allows connection to the mobile station of a call that employs the first number. The article includes means in the medium for assigning a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number. The second number differs from the first number. The second location differs from the first location.

Claim Rejections - 35 U.S.C. §102:

MPEP §2129 states:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631,2 USPQ2d 1051,1053 (Fed. Cir.1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236,9 USPQ2d 1913,1920 (Fed. Cir.1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831,15 USPQ2d 1566 (Fed. Cir.1990).

The Examiner rejected claims 1-3, 5, 7-10, 12, 14, 15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,195,558 to Griffith et al.

The Examiner alleged that the claimed invention reads on Griffith et al. as follows:

"Griffith et al. discloses a method, comprising the steps of assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number (col. 2 lines 54-58 and col. 3 lines

1-35); and assigning a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number (col. 3 lines 1-35), wherein the second number (538-1902) differs from the first number (538-1901) , wherein the second location differs from the first location (location 103 and location 104) (col. 3 lines 1-35)."

In the specification of the present application, on page 1, a prior art system is described that employs a normal business telephone number to reach a mobile station of a mobile subscriber in all user zones and public areas. For example, a caller dials the normal business number to reach the mobile station in a business user zone, a home user zone, one or more temporary user zones, and one or more public areas.

As one shortcoming, such a system allows any caller that knows the normal business number of the mobile station to reach the mobile subscriber in all locations. In one example, the mobile subscriber desires to receive calls from only a select group of potential callers when the mobile subscriber is located in a temporary user zone that comprises a conference location or a vacation location. Nevertheless, such a system undesirably allows all callers that know the normal business number of the mobile station to reach the mobile subscriber even in the temporary user zone.

Thus, a need exists in the prior art for increased selectivity in allowing connection of calls to a mobile station at a particular location. The present invention fulfills this need by providing a system and method wherein, referring to FIG. 1, in one example, user 106 comprises a subscriber, controller 104 comprises a service provider, mobile station 112 comprises a phone, number 136 comprises 630-979-1111, and number 138 comprises 630-

979-2222. For example, when the subscriber purchases the phone, the service provider assigns the numbers 630-979-1111 and 630-979-2222 to the phone of the subscriber, and the service provider defines one or more instances of user zone 121.

Still referring to FIG. 1, the number 630-979-1111 can be used to locate the subscriber all across a country, for example, the United States. The service provider can assign user zones (e.g., a plurality of instances of user zone 121) to the subscriber, and on a permanent basis add these user zones to a subscriber database of the service provider. If the subscriber is located in any of the user zones, then the subscriber can benefit from a specific billing rate and a set of features assigned to that user zone.

Further referring to FIG. 1, the service provider can define temporary user zones (e.g., a plurality of instances of temporary user zone 125) across the country for the purpose of conferences, vacations, and/or the like. For a specific subscriber, these temporary user zones in one example are assigned to the subscriber database of the service provider on a temporary basis. For example, the temporary user zones are not assigned to the subscriber database on a permanent basis for the specific subscriber. Upon request from the subscriber in areas in which these temporary user zones are available, the subscriber can take advantage of a temporary user zone on a temporary basis.

Again referring to FIG. 1, the number 630-979-2222 in one example can be assigned to the subscriber for use only within the temporary user zones. As a result, the subscriber can only be reached via 630-979-2222 within the scope of these temporary user zones. This provides them with privacy in receiving only selected calls while they are staying in the temporary user zones.

Referring still to FIG. 1, the number 630-979-1111 in one example can be used to reach the subscriber all over the country, except in the temporary user zones. Only the

number 630-979-2222 can be used to reach the subscriber within the temporary user zones. If one tries to reach the subscriber located in a temporary user zone via 630-979-1111, then the call will be forwarded to voice mail 144 for the subscriber. In addition, if one tries to reach the subscriber via 630-979-2222 when the subscriber is outside a temporary user zone, then the call will be forwarded to voice mail 144 for the subscriber.

Griffith et al teaches that when a wireless terminal enters a new location, the telephone number assigned to the wireless terminal is automatically changed to be a telephone number assigned to that location. (see column 1, lines 54-58 of Griffith et al.)

In column 3, lines 18-27, Griffith et al teaches that upon being informed that wireless terminal 112 has entered location 104, wireless switching system 111 examines Table 2 of FIG. 3 for the telephone numbers assigned to location 104 at present, telephone number 538-1901 is assigned to wireless terminal 114. Hence, wireless switching system 111 assigns telephone number 538-1902 to wireless terminal 112. Table 1 of FIG. 2 is updated to reflect this change and the updated table is illustrated in FIG. 4. In addition, Table 2 of FIG. 3 would be updated to reflect the fact that wireless terminal 112 is now assigned telephone number 538-1902. If wireless terminal 114 had not been present in location 104 when wireless terminal 112 entered location 104, wireless terminal 112 would have been assigned telephone number 538-1901. Table 2 of FIG. 3 will also be updated to reflect the fact that telephone number 538-3901 is no longer assigned to wireless terminal 112.

Thus it is clear that Griffith et al. not only does not anticipate the present invention as set forth in the independent claims, but Griffith et al. actually teaches away from the present claimed invention. Griffith et al teaches automatically changing numbers assigned to mobile

stations, whereas in the present invention when the subscriber purchases the phone, the service provider assigns the numbers to the phone of the subscriber, and the service provider defines one or more instances of user zone.

More specifically independent claim 1 of the present invention is directed to: the assigning of a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number; and the assigning of a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number, wherein the second number differs from the first number, wherein the second location differs from the first location.

Independent claim 8 is directed to a system, comprising: a controller component that assigns a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number; and a controller component that assigns a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number, wherein the second number differs from the first number, wherein the second location differs from the first location.

Independent claim 15 is directed to an article, comprising: a computer-readable signal-bearing medium; means in the medium for assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number; and means in the medium for assigning a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number,

wherein the second number differs from the first number, wherein the second location differs from the first location.

Since each of the dependent claims 2, 3, 5, 7, 9, 10, 12, 14 include all the limitations of the respective independent claims, upon which they depend, these claims are also not anticipated by Griffith et al. These dependent claims are believed to be allowable for the same reasons as the related independent claims, as well as for their own additional characterizations.

Therefore, the rejection of claims 1-3, 5, 7-10, 12, 14, 15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,195,558 to Griffith et al. has been overcome, and the Examiner is respectfully requested to reconsider this rejection.

Claim Rejections - 35 U.S.C. §103:

MPEP §706.02(j) states:

"To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

MPEP §2143.01 states:

"Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved, as a whole would have suggested to those of ordinary skill in the art. In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

In the office action the Examiner made the following rejections.

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Bansal et al. Regarding claims 4 and 11, Griffith et al. discloses a method as discussed supra in claims 1 and 8 above. Griffith et al. differs from claims 4 and 11 of the present invention in that it do not disclose the step of selecting a discounted billing rate for the call that employs the second number. Bansal et al. teaches the step of selecting a discounted billing rate for the call that employs the second number (col. 5 lines 40-56 and col. 6 lines 1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with the step of selecting a discounted billing rate for the call that employs the second number in order to save money based upon a calling plan between the wireless terminal and its carrier, as taught by Bansal et al.

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Chavez, Jr.. Regarding claims 6 and 13, Griffith et al. discloses a method as discussed supra in claims 1 and 8 above. Griffith et al. differs from claims 6 and 13 of the present invention in that it do not disclose the step of directing to voice mail, upon location of the mobile station at the second location, a call that employs the first number. Chavez, Jr. Teaches the step of directing to voice mail, upon location of the mobile station at the second location (wireless terminal leaves first location), a call that employs the first number (col. 5 lines 3450). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with the step of directing to voice mail, upon location of the mobile station at the second location, a call that employs the first number in order for the wireless terminal to replay the first number message and decide whether to respond to the message, as taught by Chavez, Jr.

Claims 16, 17, 20-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Thibert et al. Regarding claims 16,20,22 and 24, Griffith et al. discloses a method (fig. 5), system controller/article (fig. 1 number 111), comprising: a computer-readable signal-bearing medium (fig.1 number 111), comprising the steps of a controller assigning to a mobile station a number that upon location of the mobile station at any one or more of a temporary user zone (fig. 1 numbers 103 and 104) (col. 2 lines 53-58) and a base user zone (fig. 1, zone area around base station 121 and 122) allows connection to the mobile station of a call that employs the number (col. 2 lines 53-58 and col. 3 lines 1-35). Griffith et al. differs from claims 16,20,22 and 24 of the present invention in that it do not disclose a controller selecting the number to comprise fewer than seven digits. Thibert et al. teaches a controller (service control point (SCP)) for selecting the number to comprise fewer than seven digits (col. 2 lines 48-52; col. 7 lines 29-34 and col. 11 lines 45-

48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with selecting the number to comprise fewer than seven digits in order to assign the location of the mobile station a speed dial number so that the calling party would not have to remember the mobile station location telephone number, as taught by Thibert et al.

Regarding claim 17, Griffith et al. discloses the temporary user zone to comprise a user zone 9 (fig. 1 number 103) that is noncontiguous (separate) with the base user zone (area around base station) (fig. 1 number 121).

Regarding claim 21, Griffith et al. discloses the step of a controller for selecting the temporary user zone comprise a zone that is noncontiguous (separate location or different room) with the base user zone (fig. 1 number 103 and area around base station).

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Thibert et al. as applied to claim 16 above and in further view of Fenton et al. The combination of Griffith et al. and Thibert et al. differs from claim 18 of the present invention in that they do not disclose an abbreviated number that upon location of the mobile station at the any one or more of the temporary user zone and the base user zone allows connection to the mobile station of a call that employs the abbreviated number. Fenton et al. teaches an abbreviated number (short code) that upon location of the mobile station at the any one or more of the temporary user zone (network 1 and network 2) and the base user zone allows connection to the mobile station of a call that employs the abbreviated number (col. 6 lines 2-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Griffith et al. and Thibert et al. with an

abbreviated number that upon location of the mobile station at the any one or more of the temporary user zone and the base user zone allows connection to the mobile station of a call that employs the abbreviated number in order speed dial a distant caller based upon it location, as taught by Fenton et al.

Claims 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Thibert et al. as applied to claims 16 and 20 above and in further view of Fitch et al. The combination of Griffith et al. and Thibert et al. differs from claims 19 and 23 of the present invention in that they do not disclose one or more of a business user zone and a home user zone. Fitch et al. teaches a business user zone (fig. 1 number 30c) and a home user zone (fig. 1 number 30a) (col. 6 lines 26-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Griffith et al. and Thibert et al. with one or more of a business user zone and a home user zone in order to assign a special rate billing plan to area of the wireless terminal, as taught by Fitch et al.

Claims 16, 20 and 24 are independent claims in the present application.

Claim 16 claims a method, comprising the steps of: assigning to a mobile station a number that upon location of the mobile station at any one or more of a temporary user zone and a base user zone allows connection to the mobile station of a call that employs the number; and selecting the number to comprise fewer than seven digits.

Claim 20 claims a system, comprising: a controller component that assigns to a mobile station a number that upon location of the mobile station at any one or more of a

temporary user zone and a base user zone allows connection to the mobile station of a call that employs the number; and a controller component that selects the number to comprise fewer than seven digits.

Claim 24 claims an article, comprising: a computer-readable signal-bearing medium; means in the medium for assigning to a mobile station a number that upon location of the mobile station at any one or more of a temporary user zone and a base user zone allows connection to the mobile station of a call that employs the number; and means in the medium for selecting the number to comprise fewer than seven digits.

Each of these claims has as a claim element the assigning to a mobile station a number that upon location of the mobile station at any one or more of a temporary user zone and a base user zone allows connection to the mobile station of a call that employs the number. As explained above this number is not changed as the mobile station traverses different areas. Since the Griffith et al. patent does not teach this, no combination of Griffith et al. with any of the other cited prior art would result in the claimed inventions of independent claims 16, 20, and 24.

With regards to the dependent claims rejected under 35 U.S.C. 103(a) and since each of the dependent claims include all the limitations of the respective independent claims, upon which they depend, these dependent claims are also not anticipated by Griffith et al. and any combination of the other cited prior art. These dependent claims are believed to be allowable for the same reasons as the related independent claims, as well as for their own additional characterizations.


To establish a prima facie case of obviousness, the Examiner must demonstrate all of the following elements: 1) suggestion or motivation, either in the references themselves or in the knowledge of one of ordinary skill in the art, to combine the reference teachings; 2) reasonable expectation of success found in the prior art; and 3) the prior art references (combined) must teach or suggest all of the claim limitations. The prima facie case of obviousness determination was improperly made out. The Examiner has not demonstrated all the elements of the prima facie case. Thus, the opinion of obviousness is deficient and the Applicants are deserving of a patent.

Applicants respectfully submit that the applied references, taken singly or in combination, assuming, arguendo, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention. Applicants have discussed herein one or more differences between the cited prior art, and the claimed invention with reference to one or more parts of the cited prior art. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of cited prior art correspond to the claimed invention.

Therefore, the rejections of the claims under 35 U.S.C. § 102 and under 35 U.S.C. § 103 have been overcome, and the Examiner is respectfully requested to reconsider these rejections.

The prior art made of record and not relied upon is considered to be of general interest only. This application is believed to be in condition for allowance, and such action at an early date is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carmen B. Patti', written over a horizontal line.

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